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**CERTIFICATE OF FACSIMILE TRANSMISSION TO THE
UNITED STATES PATENT AND TRADEMARK OFFICE****DATE: August 18, 2005**

Mail Stop: Petitions
Art Unit: 3644
Fax: (571) 273-0025
From: Patrick W. Rasche

: *RE: U.S. Patent Application* **FAX RECEIVED**
: *Serial No.: 10/661,981*
: *Applicant: Ronald R. Morlen* AUG 18 2005
: *Atty. Dkt. No.: 22400/1*

OFFICE OF PETITIONS**DOCUMENTS SUBMITTED WITH TRANSMISSION:**

*Certificate of Facsimile Transmission (1 pg); Petition to Withdraw Holding of Abandonment
Based on Failure to Receive Office Action (3 pgs.); Statement of Patrick W. Rasche (1 pg.);
and Copy of Armstrong Teasdale Docket Report for Application Serial No.: 10/661,981,
Filed: September 12, 2003, of Applicant: Ronald R. Morlen (2 pgs.)*

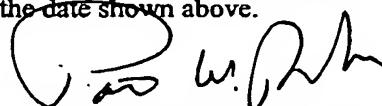
*Total pages including cover page: 7
If all pages are not received, please contact: Michele at Ext. 7321*

*RE: The above referenced U.S. Patent Application
Title: FISHING LURE
Filed: September 12, 2003*

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that these papers are being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number (571) 273-0025 on the date shown above.

Date: August 18, 2005



Patrick W. Rasche, Reg. No.: 37,916

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Via Facsimile: (571) 273-0025

22400/1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ronald R. Morlen

Art Unit: 3644

Serial No.: 10/661,981

Examiner: Bret C. Hayes

Filed: September 12, 2003

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AUG 18 2005

FISHING LURE

OFFICE OF PETITIONS

or:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE
TO RECEIVE OFFICE ACTION**

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR §1.181(a) and 711.03(c)(A.) of the MPEP Applicant hereby Petitions to Withdraw the Holding of Abandonment in the above-referenced Utility Patent Application for failure to receive office action. Specifically, our office did not receive the Final Office Action, dated December 17, 2004 and to date have not received the Notice of Abandonment for Failure to Respond to the Final Office Action, dated July 22, 2005. A response to the Office Action was due on, or before, March 17, 2004, accordingly, the abandonment date of this Application is March 17, 2004.

1.) Applicants' first notification indicating that the subject Patent Application had been issued a Final Office Action and a Notice of Abandonment for Failure to Respond to the Final Office Action was during a Status Check performed through the U.S. Patent and Trademark Offices ("PTO") **PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM**, via the PTO's website (www.uspto.org).

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22400/1
PATENT

2.) Attached, is an affidavit by the undersigned, Patrick W. Rasche, attorney with Armstrong Teasdale LLP, attesting that upon examination of the subject Application's file jacket and docket records, Applicants' file indicates the last correspondence received from the PTO is the Non-Final Office Action dated April 2, 2004, and does not contain the Final Office Action dated January 17, 2005.

3.) Attached hereto is a copy of Armstrong Teasdale LLP, docket report establishing the Final Office Action in the subject Application and the subsequent entries for the two month date to file a Response to Provoke Advisory Action and the statutorily imposed three month response due date were not docketed, indicating Armstrong Teasdale LLP, did not receive the Final Office Action, dated December 17, 2004, and accordingly was not aware that a Response to the Final Office Action was due, on or before, March 17, 2005.

4.) This Petition is being filed within two (2) months of Applicants' first notification of abandonment.

Applicant respectfully submits that the subject Application's file jacket, and Armstrong Teasdale LLP, docket reports are evidence in support of the Applicants' declaration that the Final Office Action and the Notice of Abandonment were never received.

Applicant believes that no fee is due for this Petition. If any fee is due, then the Commissioner is hereby authorized to charge the correct fee to deposit account 01-2384.

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22400/1
PATENT

For the reasons set forth above Applicant respectfully requests that pursuant to 37 CFR §1.181 and 711.03(c)(A.) of the MPEP, the holding of abandonment for failure to respond to the Office Action be withdrawn and the Final Office Action dated December 17, 2004, be remailed.

Respectfully Submitted,



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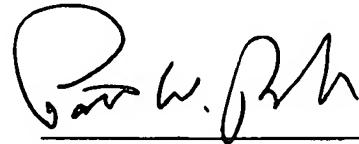
STATEMENT OF PATRICK W. RASCHE

I, Patrick W. Rasche, Esq., an attorney with Armstrong Teasdale LLP and Attorney of Record for Utility Patent Application identified as: Atty. Dkt. No.: 22400/1; Serial No.: 10/661,981; Entitled: Fishing Lure; hereby certify:

- a) the Final Office Action dated: December 17, 2004, was never received by Armstrong Teasdale LLP; and
- c) that I was first notified of the abandonment of the above-referenced Utility Patent Application upon performing a Status Check through the PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM, via the PTO's website.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: August 18, 2005



Patrick W. Rasche

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OFFICE OF PETITIONS



Patent: 22400-00001, United States, Regular, National,
Original Filing

Patent Data

Client-Matter No.	22400-00001	Attorney	Patrick W. Rasche
Country	United States	Agent	
Case Type	Regular	Client\Division	Ronald R. Morlen
Relation Type	Original Filing	Current Owner	
Filing Type	National	Previous Owner	
Filing Number		Client Ref No	RONALD MORLEN
Status	Filed	First Filing Date	9/12/2002
Sub Status		Sub Status Date	
Parent Country		Parent Filing Date	9/12/2002
Parent Number	60/410,102	Parent Grant Date	
Application Number	10/661,981	Application Date	9/12/2003
Patent Number		Grant Date	
Publication Number	2004-0074134	Publication Date	4/22/2004
Assigned		Ind. Claims\Designs	0
Convention Type	Provisional Priority	Total Claims	0
Custom Code #1		TotalClasses	
TaxAgent		ConfirmationNumber	
Operating Group		Tax Base Date	
Custom Party #1		Next Tax Date	
Custom Party #2		Expliration Date	
Custom Party #3		Custom Text #1	
Custom Party #4		Custom Date #1	
Custom Party #5		Custom Text #2	
Custom Party #6		Custom Date #2	
Custom Party #7		Custom Text #3	
Custom Party #8		Custom Date #3	
Agent Ref No		Custom Text #4	
Custom Code #2		Custom Date #4	
Custom Code #3		Text #5	
Custom Code #4		Text #6	
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Customer Code	AEPP	Customer Name	Armstrong, Teasdale

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Title

FISHING LURE

Description

Current Expense Information

Other Case-Related Information

Actions

Action	Action Due Date	Completed Date	Taken Date	Deadline Date	Responsible Atty #1	Responsible Atty #2	Action Notes
No Foreign Filing	9/12/2003	9/16/2003					
Post Card Returned?	10/12/2003	9/25/2003					
Formal Drawings Ordered?	10/12/2003						
Publication 5-Mo Reminder	10/12/2003	12/23/2003					

IDS Reminder	11/12/2003	9/16/2003	
Filing Receipt Received?	11/12/2003	12/23/2003	
Formal Drawings Filed?	12/12/2003		
Info Discl. Statement Due	12/12/2003	9/16/2003	
Revised Publication Date	3/25/2004	4/22/2004	
1st Office Action Mail Date	4/2/2004	4/2/2004	
Amendment Due 1-MO Reminder	5/2/2004	10/4/2004	
Amendment Due	7/2/2004	10/4/2004	
Amendment Due w/1- Mo. Extension	8/2/2004	10/4/2004	
Amendment Due w/2- Mo. Extension	9/2/2004	10/4/2004	
Last Date to Amend w/3-Mo Extension	10/2/2004	10/4/2004	
Filed/Status Check	12/12/2004	4/7/2004	
Status Check	6/15/2005		Published 4/22/2004; heard from PTO?
Status Check	8/12/2005		Application filed 9/12/2003....Need to file Status Check!
Status Check	9/12/2005		Application filed 9/12/2003....Need to file Status Check!
Status Check	10/12/2005		Application filed 9/12/2003....Need to file Status Check!

Other Nos

Other Number Code Other Number1 Other Number Date
 Electronic Filing System Code # 9340

CreateUser: MCC

UpdateUser: carmela

CreateDate: 8/6/2003

UpdateDate: 7/20/2005

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*** RX REPORT ***

RECEPTION OK

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RESULT	OK